

**Organized Village of Kake****P.O. Box 316****Kake, Alaska 99830-0316**

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(Federally Recognized Tribal Government serving the Kake, Alaska area)

February 6, 2003

delivery via fax transmittal to 907-269-4539

Mr. Dan Bockhorst
Division of Community & Business Development
Department of Community & Economic Development
550 West 7th Ave., Suite 1770
Anchorage, AK 99501-3510

RE: OVK Resolution No. 2002-21 – Opposition to Proposed Petersburg Borough Boundary**Dear Mr. Bockhorst:**

As mentioned during our 02/04/03 meeting earlier this week at your office, we are submitting the attached *OVK Resolution No. 2002-21 – Opposition to Proposed Petersburg Borough Boundary*, as adopted by our tribal council on 12/19/02. Additionally, a copy of OVK Resolution No. 98-22 is being included, which is referenced in 2002-21. Please add these to our office's comments expressed in our letter dated 01/29/01 and its attachments, which we hand-delivered on 02/04/03.

Again, thank you for the time this week when you and Gene Kane met with City of Kake representatives and our tribal council president and myself. It allowed us to gather background and historical information regarding the borough issue, while also providing an excellent opportunity to present our position. Beyond the materials submitted thus far by our governments here in Kake, we look forward to the opportunity for other interested citizens to express their viewpoints during the telephonic hearing this coming Saturday, 02/08/03.

If any additional materials or information may be needed, please advise. Note that besides the contact information in our letterhead, my direct office email address is ovkgovt.garyewilliams@usa.net.

Sincerely,

Gary E. Williams
OVK Executive Director

enclosures: OVK Resolution No. 2002-21
OVK Resolution No. 98-22

cc: Mayor Paul Reese – City of Kake

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(Federally Recognized Tribal Government serving the Kake, Alaska area)**Resolution No. 2002-21 – Opposition to Proposed Petersburg Borough Boundary**

- WHEREAS, the Organized Village of Kake (hereinafter OVK) is a duly constituted Indian Tribe organized pursuant to the authority of the Federal Indian Reorganization Acts (hereinafter IRA) of 1934 & 1936 with the IRA Council as the duly elected governing body formed under its *Constitution & By-Laws*; and,
- WHEREAS, the IRA Council has responsibilities to its Tribal Citizens (population of 600 residing in the Kake area) that include, among others, powers of authority to “protect the general welfare and security of the Village” and “protect and preserve the timber, fisheries and other property and natural resources” as put forth within the OVK *Constitution & By-Laws*; and,
- WHEREAS, the lands and waters of Southeast Alaska in and around the current site of Kake, Alaska have been the traditional territory of the Kake Indians since time immemorial and includes, but is not necessarily limited to, a range that includes areas of Kupreanof, Kuiu, and Keku Islands; plus portions of Baranof, Admiralty, and Prince of Wales Islands; plus portions of the mainland; plus adjacent lands & waters to the aforementioned and other that has been or continues to be used by the Tribe; and,
- WHEREAS, the Kake Indians functioned as a sovereign over this territory through a traditional form of tribal government since time immemorial; and,
- WHEREAS, the Kake Indians, now functioning under a contemporary tribal government structure as referenced above under the governing powers of the Organized Village of Kake, continues to be recognized by the United States of America as a sovereign government; and,
- WHEREAS, the governing body of OVK, and earlier forms of local tribal government, have never made agreements or treaties with other governments or entities (including Russia, United States and the State of Alaska) to relinquish any of the traditional lands, rights or precepts associated with Indian Country; and,
- WHEREAS, information has been published which reports that the Petersburg City Council is proposing a Petersburg Borough, whose westerly boundary runs generally south from Big Creek to Big John Bay on Kupreanof Island which takes an inordinate share of the island with virtually no regard to Kake’s interests; and,
- WHEREAS, OVK previously passed Resolution No. 98-22 on 09/22/98 entitled *Proposed Petersburg Borough Boundary*, which was subsequently submitted to Peter Freer of the State of Alaska Department of Community & Regional Affairs; and,
- WHEREAS, the City of Kake which is the State chartered municipal government has passed Resolution No. 2002-04 on 09/20/02 entitled *Opposition Resolution for the Petersburg Borough Formation*, which has been provided to OVK.
- THEREFORE BE IT RESOLVED, that the OVK IRA Council strongly objects to Petersburg’s proposed boundary that takes an unfair share of Kupreanof Island and leaves Kake, which is located on Kupreanof Island, a ridiculously small portion – whether viewed from a perspective of what simply looks & seems fair or from a historical use perspective established from time immemorial; and,

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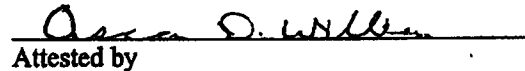
BE IT ADDITIONALLY RESOLVED, that in respect to the proposed Petersburg Borough boundary, OVK proposes that all of Kupreanof Island be retained under the use area of Kake and included with other Kake use areas for any future borough consideration, which is based on historical use and also contingent upon interest from the City of Kupreanof to join with any efforts from OVK and the City of Kake to organize a borough; and,

BE IT FINALLY RESOLVED, that the OVK IRA Council formally requests all governments and entities to maintain direct contact with OVK on the above Petersburg Borough Proposal, or any matters that may affect the People of Kake and/or the traditional lands & waters that have been the territory of the Kake Indians since time immemorial.

CERTIFICATION

This resolution was duly adopted at an IRA Council meeting held this 19th day of DECEMBER 2002 by a quorum of 5 (includes president as non-voting chairperson except in case of tie vote) with 4 yes votes, 0 no votes, and 0 abstaining.


Casimero A. Aceveda Jr., President


Attested by